

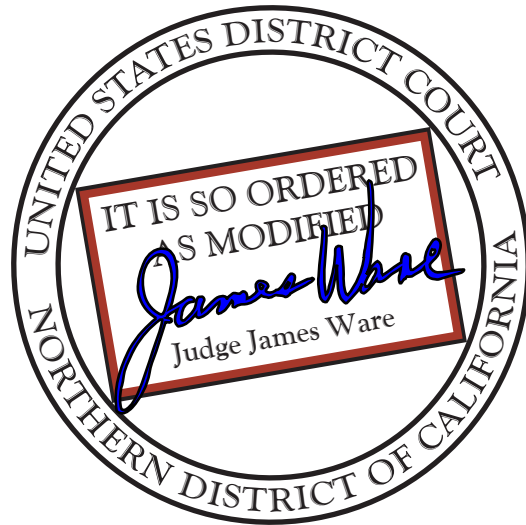
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Attorneys for Plaintiff



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.)
)
)
FEI YE and MING ZHONG,)
)
)
Defendants.)

No.: CR 02-20145 JW

STIPULATION RE: NOVEMBER 21, 2008
HEARING

Sent. Date: November 21, 2008
Time: 1:00 p.m.
Court: Hon. James Ware

The parties are currently scheduled to appear before this Court on November 21, 2008, at 1:00 p.m. for an evidentiary hearing. The Court originally set the evidentiary hearing to determine loss amount for sentencing purposes. Since that time, the parties have met and conferred regarding the calculation of loss amount. The parties are now in agreement that the appropriate calculation of loss for the purpose of calculating the Sentencing Guidelines is between \$1,000,001 and \$2,500,000. Accordingly, the parties will not present any evidence at the hearing set for November 21, 2008, and will be prepared to go forward with sentencing.

The United States has previously filed two memoranda (one under seal) with respect to sentencing in this matter.

STIPULATION
CR 02-20145 JW

1 The defendants will file their sentencing memoranda prior to the hearing on November
2 21, 2008.

3 SO STIPULATED.

4 DATED: November 13, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

6
7 /s/
KYLE F. WALDINGER
8 RICHARD C. CHENG
Assistant United States Attorneys

9 DATED: November 13, 2008

10 /s/
PAUL MELTZER
11 Attorney for Defendant Fei Ye

12 DATED: November 13, 2008

13 /s/
JOHN WILLIAMS
Attorney for Defendant Ming Zhong

14
15 *** **ORDER** ***

16
17 The Court accepts the parties' Stipulation and orders the Clerk to convert the
18 evidentiary hearing currently set for November 21, 2008 to a Judgment and Sentencing
19 proceeding. The Court orders that the time of the hearing be changed from 1 p.m. to **11:30**
20 **a.m.**

21 Criminal Local Rule 32-5(b) requires that Sentencing Memorandums be filed at least 7
22 days prior to the date set for sentencing. Thus, if the Defendants elect to file sentencing
23 memorandums, they shall be filed on or before **November 19, 2008.**

24
25
26 Dated: November 18, 2008

27 James Ware
JAMES WARE
United States District Court